HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.34731 of 1997

Dated: 29.03.2007

Between

M.A.Saleem

..... Petitioner

And

The Regional Manager,
APSRTC Nalgonda Depot,
Nalgonda Region, Nalgonda
and another.

.....Respondents

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.34731 of 1997

O R D E R:

The relief sought for in this writ petition is for a direction to declare the order of the first respondent dated 03.11.1997 as arbitrary and illegal and for a consequential direction to the respondents to step-up the pay of the petitioner on par with his junior and pay him arrears from the date of his representation dated 03.11.1995.

Sri K.Vinaya Kumar, learned counsel for the petitioner, would submit that the subject matter of this writ petition is covered by an order of this Court in W.P.No.18017 of 1988, dated 04.09.1996, wherein this Court directed the Regional Manager to consider the question of pay anomalies as between the petitioners and their juniors *de novo* keeping in view the relevant regulations, if any, within a period of three months from the date of receipt of a copy of the judgment and if, on such consideration, the petitioners' pay was required to be

refixed so as to be on par with their juniors, the petitioners would be entitled to get arrears from the date on which they made representations. This Court further directed that the petitioners would not be entitled to get arrears prior to that date in view of the delay in re-presenting their case and in moving the Court only in 1988.

No counter-affidavit is filed on behalf of the respondent-Corporation nor is there any representation on behalf of Sri V.T.M.Prasad, learned Standing counsel for the Corporation.

Following the judgment in W.P.No.18017 of 1988, dated 04.09.1996, the first respondent is directed to consider the question of pay anomaly as between the petitioner and his junior *de novo* keeping in view the relevant regulations, within a period of three months from the date of receipt of a copy of this order and if, on such consideration, the petitioner's pay is to be refixed on par with his juniors, he shall be entitled to get arrears from the date on which he submitted his representation.

The writ petition is disposed of accordingly. No costs.

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29.03.2007

dr